

Reconciling the Arab Initiative with Israel's Core Requirements for Peace

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Introduction

The most momentous declaration to come out of the Arab world since Israel's inception in 1948 was the Arab Peace Initiative, launched in March 2002 in Beirut, Lebanon, and re-adopted by the Arab League in Riyadh, Saudi Arabia, in March 2007. It would be tragic to allow the Initiative to languish as it offers the most solid promise for a comprehensive Arab-Israeli peace. Moreover, the Arab Initiative has the potential to tackle the extremism that has engulfed the Middle East to the detriment of both Israel and the Arab states.

Essentially, the Initiative calls on Israel to agree to full withdrawal from the territories occupied since 1967; to arrive at a just solution to the Palestinian refugee problem, and to accept a Palestinian state in the West Bank and Gaza, with East Jerusalem as the capital. Having spoken about the Initiative with scores of Arab and Israeli officials, I feel strongly that the demands made by the Initiative can be fully reconciled with Israel's core requirements for peace which they have repeatedly stated as: 1) ensuring Israel's national security and territorial integrity, 2) sustaining Israel's Jewish national identity, 3) securing the unity of Jerusalem as Israel's capital while accommodating the Palestinian demands, and 4) establishing normal relations with the entire Arab world.

The failure to embrace the Initiative by the United States and Israel will send a dangerous message to the Arab states—especially after the Annapolis Middle East conference—that neither country is fully invested in ending the debilitating 60-year old Arab-Israeli conflict. As such, the political agenda will remain susceptible to the movement of extremist Islamic groups.

The Arab states have decided to reintroduce the Initiative in part due to their heightened vulnerability emanating from the war in Iraq and its explosive regional implications. Many Arab leaders see an end to the Arab-Israeli conflict as a precondition to effectively addressing many of the problems plaguing the Middle East, as well as a means to stabilize the region and secure their political systems. Whereas Israel must begin to take specific measures to signal its intentions to end the occupation of the West Bank and the Golan Heights, the Arab states, other than Jordan and Egypt, must not sit on their hands and wait. They too must reach out to Israel and demonstrate that their Initiative is genuine and that they are ready to engage the Israelis on any level while remaining true to the Initiative's principles.

The Annapolis Middle East peace conference, held in November 2007, might have provided the impetus for continued negotiations between Israel and the Palestinians and opened the door for negotiations between Israel and Syria. Considering, however, the volatility of the region and the

existence of extremist groups who are bent on scuttling the peace process, these negotiations will ultimately collapse unless the Arab Initiative, which represents the collective will of the Arab states, is fully behind them.

The Changing Regional Dynamic

The diplomatic activity surrounding the reintroduction of the Saudi Initiative (now called the Arab Peace Initiative)^[1] at the Arab League Summit in Riyadh in March 2007 is entirely different from the atmosphere when it was originally adopted during the League's Beirut meeting in March 2002. The convergence of ominous developments in the Middle East in the wake of the Iraq war have placed Israel in a better position strategically than it was five years ago to achieve a comprehensive peace with security.

In 2002, there was no war in Iraq, the second Intifadah^[2] was raging, and Iran's ambitions to become the region's hegemon armed with nuclear weapons were far more muted. There was no major Sunni-Shiite conflict looming with the threat of engulfing the entire region, extreme Muslim radicalism was less developed, and the global Jihadi and Takfiri movement was markedly less ambitious. The situation is now reversed. To stem the tide of these ominous trends, peace with Israel has now become urgent especially in the eyes of Arab Sunni leaders. Many are looking for ways to work with Israel such that the Arab public will allow them to coalesce more strongly against Iran and the growth of extremism, which the Israeli-Palestinian conflict in particular feeds into. In addition, because Syria is essential to producing a united Sunni front, ending the conflict with Damascus has assumed a new urgency.

Thus, the Initiative provides an historic opportunity to achieve a lasting and comprehensive peace between Israel and all Arab states. This is particularly critical as the Initiative offers, in the words of the former Foreign Minister of Jordan Dr. Marwan Musher, "Peace not only with Israel's neighbors but all Arab states, none excluded, which has always been a key Israeli demand." On the basis of the document itself and the intent of the Arab states behind it, the Initiative can be reconciled with Israel's four core requirements for making peace: 1) ensuring Israel's national security and territorial integrity, 2) sustaining Israel's Jewish national identity, 3) securing the unity of Jerusalem as Israel's capital while accommodating the Palestinians, and 4) establishing normal relations with the entire Arab world.

To accomplish this historic breakthrough, both Israel and the Arab states must carefully take into account the prevailing perceptions that have come to be accepted as realities, while ignoring certain realities on the ground that neither time nor circumstances can change. That is, although the requirements for a comprehensive peace can be pieced together, a successful breakthrough will depend on the ability of Arab and Israeli leaders to disabuse their respective communities of the notion that either side can have it all. Leaders from both sides need to cultivate a national mindset conducive to a peace agreement that will likely fall short of what the general public has been led to believe is possible. Neither Israel nor the Arab states can claim to seek a real peace if they do not show the flexibility necessary to resolve some of the most intractable issues separating them. The impetus to do so must lie in the mutual recognition that they now have a unique, if not historic, opportunity to capitalize on the changing regional and geopolitical dynamics (resulting from the Iraqi situation and Iran's regional ambitions) and thus can make peace with normal relations, a reality that has eluded them for the past 60 years.

It is in the context of these developments that the Initiative has become so critical. The Initiative calls on Israel to agree to full withdrawal from the occupied territories; to arrive at a just solution to the Palestinian refugee problem, based on UN General Assembly Resolution 194^[3] and other resolutions including UN Security Council Resolution 242;^[4] and to accept a Palestinian state in the West Bank and Gaza, with East Jerusalem as the capital. Prime Minister Olmert has so far rejected in principle the right of return and does not subscribe to full withdrawal from the territories.

Nevertheless, the Israeli government sees positive elements in the Initiative, which in its original form was dismissed by the Sharon government after being adopted by the Arab League more than five years ago. Although the Middle East is in unprecedented turmoil, the new unfolding regional developments offer a genuine opportunity to dramatically advance the Arab-Israeli peace process.

The Arab Initiative in Principle

It is important to note that the preamble of the Initiative contains elements that were used in past negotiations between Israel and Egypt and Israel and Jordan, specifically, principles enunciated in UN Security Council Resolution 242.^[5] Similar negotiations between Israel and the Palestinians in the early 1990s led to the Oslo accords, although the negotiations in the summer of 2000 failed at the last minute. Israel and Syria also engaged with each other on the same basis during the mid-1990s, especially in December 1999 and March 2000;^[6] however, in the end they too were unable to reach agreement, although an accord between the two states is considered by many Israeli and Syrian officials to be entirely within reach.^[7] From this brief summary, it is possible to surmise that, given the environment in which the Arab Initiative has been re-launched, it can certainly form the basis for future negotiations. The Initiative begins with this statement:

The Council of the League of Arab States at the Summit Level, at its 14th Ordinary Session,

-Reaffirms the resolution taken in June 1996 at the Cairo extraordinary Arab summit that a just and comprehensive peace in the Middle East is the strategic option of the Arab countries, to be achieved in accordance with international legality, and which would require a comparable commitment on the part of the Israeli government.

-Having listened to the statement made by his royal highness Prince Abdullah Bin Abdullaziz, the crown prince of the Kingdom of Saudi Arabia in which his highness presented his initiative, calling for full Israeli withdrawal from all the Arab territories occupied since June 1967, in implementation of Security Council Resolutions 242 and 338, reaffirmed by the Madrid Conference of 1991 and the land for peace principle, and Israel's acceptance of an independent Palestinian state, with East Jerusalem as its capital, in return for the establishment of normal relations in the context of a comprehensive peace with Israel.

The document then goes on to establish the critical principle that peace is the strategic option. In light of the fact (or in recognition of it) that this has been Israel's goal, albeit in accordance with national security and demographic requirements, the following clause in the Initiative stating that no military solution exists is of paramount importance:

Emanating from the conviction of the Arab countries that a military solution to the conflict will not achieve peace or provide security for the parties, the council:

- *Requests Israel to reconsider its policies and declare that a just peace is its strategic option as well.*

Finally, to signify the importance of the Initiative and the dramatic change in attitude the Arab states have demonstrated, one has to recall another Arab League resolution adopted in November 1967 known for its famous three NOs:^[8]

The Arab Heads of State have agreed to unite their political efforts at the international and diplomatic level to eliminate the effects of the aggression and to ensure the withdrawal of the aggressive Israeli forces from the Arab lands which have been occupied since the aggression of June 5 (1967). This will be done within the framework of the main principles by which the Arab

States abide, namely, no peace with Israel, no recognition of Israel, no negotiations with it, and insistence on the rights of the Palestinian people in their own country.

Israel's Reservations

Top Israeli officials have indicated to me that the Initiative is not balanced because it makes no demands on the Palestinians.^[9] This is not so. The Initiative represents an overall framework for peace. In crafting it, the authors certainly were conscious that for such a framework to lead to a comprehensive peace, extensive negotiations would be required. Whatever Israel expects the Palestinians or the Syrians to do will have to be part of the rules of engagement that must be established before any negotiation commences in earnest. It should be noted that Israel's principle demand, throughout the history of its contacts with the Palestinians—at least since 1988 to the present—has been an end to the violence as a precondition to serious negotiations. At various times, Israel even negotiated with the Palestinians (as it is currently doing) and the Syrians while violence was raging. Obviously, Israel should not be expected to negotiate under the gun but given the volatility on the ground, Israel may choose to negotiate as if there is no violence and deal with the violence as if there is no negotiation. That said, a careful strategy has to be adopted to insure that the progress in the negotiations is greater than the damage or disruptions caused by violence.

The split between Hamas, which governs Gaza, and Fatah, now in control of the West Bank, has already changed the dynamic of the Israeli-Palestinian peace negotiations. Although it is difficult to assess at this juncture the ultimate consequences of the split, for the moment it is possible Fatah's commitment to a nonviolent resolution of the Israeli-Palestinian deadlock has paved the way to more serious negotiations with Israel. Therefore, since the political winds in the Middle East are forever shifting, it is critical that the Initiative is looked at, interpreted, assessed, and dealt with in light of its intended objective. Specifically, Israel needs to subscribe to the Initiative's stated central goal, a comprehensive peace and normal relations between Israel and all the Arab states. To be sure, Israel's acceptance of the Initiative will be based on the attainment of this ultimate goal, which, as a precursor to adopting it, the Israeli government must clearly articulate to its own public and to the outside world.

The Israeli government should accept the Initiative not simply because it has an obligation to its people to explore any possibility to peacefully end the Arab-Israeli conflict, but because of the raging regional turmoil; the document offers *a narrow window of opportunity* which events beyond the control of the Arab states and Israel may quickly close. Mindful of this possibility, Israel can accept the Initiative in principle, and for as long as it remains consistent with their legitimate requirements for achieving peace. If Israel acts in this way, the international community and the Arab states in particular will be far more receptive to its national concerns.

A few Israeli officials complained to me that the Initiative reads and sounds like a diktat. Although the document may be interpreted in different ways, it is useful to view it as articulating a vision rather than a plan of action or a set of non-negotiable demands. For example, the preamble evokes not only the non-binding UN General Assembly Resolution 194 but also UN Security Council Resolutions 242 and 338,^[10] both of which Israel accepted, even using them in previous negotiations with Egypt and Jordan. In brief, Israel needs to focus on the positive aspects of the Initiative rather than what may be negative and it should not be on the defensive. If looked at from this perspective, the following phrases from the Initiative neither sound nor read as a diktat:

- *Peace is the strategic option of the Arab countries...*
- *Request Israel to consider its policies...*
- *Achieving a just solution to the Palestinian refugee problem to be agreed upon...*
- *Consider the Arab-Israeli conflict ended...*
- *Establish normal relations with Israel in the context of this comprehensive peace.*

Reading the Initiative in this positive light, one has to ask, "What can Israel expect from the Arab states in addition to achieving its four fundamental requirements?" The present document is something very different than the edict of the Khartoum resolution and different from anything else that has collectively emerged from the Arab states. It represents a transformation of the Arab position. This is why the way in which one reads the Initiative is so important. How Israel's leaders read it will be based on their ultimate intentions. The Initiative is not structured on an all or nothing basis and as long as the Israelis genuinely seek peace, they should focus and even capitalize on the scope of the document. The Initiative touches on each of Israel's core requirements, and although the language may sound firm, it definitely leaves significant room for negotiation. If Israel's leadership sees this, how should it then reconcile the four fundamental requirements with the Initiative?

1. Ensuring Israel's national security

On the question of territorial withdrawal, although the Initiative calls for withdrawal from all the post-1967 territories, in previous negotiations between Israel and Jordan and between Israel and the Palestinians, many creative ideas were floated, suggesting that some give-and-take is necessary for reaching any agreement. While the Initiative suggests:

I - Full Israeli withdrawal from all the territories occupied since 1967, including the Syrian Golan Heights, to the June 4, 1967 lines as well as the remaining occupied Lebanese territories in the south of Lebanon.

Israel relates any and all discussions of territorial withdrawal to its primary concern—national security. For Israel, accepting the Initiative as stated will mean "returning" 100 percent of the territories captured in 1967. Although from the Israeli perspective this is unfeasible, the 1967 line represents the borders to which Israel needs to withdraw in principle. The Arab states, in other words, maintain it is not for Israel to decide unilaterally the extent of the withdrawal; rather any adjustment of the 1967 borders will have to be negotiated and agreed upon by both parties. Zeid Ra'ad Zeid Al-Hussein, Jordan's ambassador to the United States insisted to me that previous negotiations between Israel and Egypt and Israel and Jordan were based on the same principle—the 1967 lines constituted the base line. As the negotiations unfold, however, both sides will have to show flexibility. To create secure borders based on UN Resolution 242, and taking into account some hard facts on the ground (including a number of settlements Israel will insist on incorporating into Israel proper), Israel will have to swap some contiguous land equitable in size and quality in areas adjacent to the eventual border.

Although many Israelis—and even more supporters of Israel in the United States and elsewhere—still equate these territories with national security, history has proved this linkage to be utterly baseless and misleading. Forty years of occupation have failed to enhance Israel's security and have actually undermined it. Those who claim that the withdrawal from southern Lebanon and Gaza turned these territories into new staging grounds for violence against Israel are being at best disingenuous. Israel obviously expected some kind of positive reaction and encouragement from the Gaza withdrawal that it had done the right thing, but this did not happen. The withdrawals were neither completed nor executed in a manner that could foster improved relations. In addition, the withdrawal from both territories was involuntary. Southern Lebanon had become a killing field for Israelis and stirred intense public debate (more than 1,000 Israeli soldiers died during Israel's occupation of southern Lebanon between 1982 and 2000), while the pullout from Gaza was prompted by the nightmarish demographic scenario. The failure of the Sharon government to negotiate the transfer with Mahmoud Abbas in advance on many of the details and the failure of Mahmoud Abbas to seize the opportunity and consolidate his power in the evacuated territory caused the disastrous consequences.

The Arab states simply will not make peace without recovering the territories. In the end, Israelis must choose between peace and territory; they cannot have it both ways. But the Arab states, especially the Palestinian Authority and Syria, with which Israel still has territorial disputes, must also demonstrate flexibility. The 1967 lines cannot be fully restored; therefore, some give and take must occur to achieve what UN Resolution 242 calls for on both sides:

...To live in peace within secure and recognized boundaries free from the threat or acts of force.

If Israel appears to be obsessed with national security matters, the Arab states must not dismiss the Israeli concerns as trivial. While the history of the Jews has been full of exile and tragedy, Israel today is threatened daily by Islamic radicals such as Hamas, Islamic Jihad, the Muslim Brotherhood, and states like Iran, whose existential threats it cannot take lightly. Nonetheless, Israel must also understand, as Henry Kissinger once observed, that the attainment of absolute security by one side renders the other side absolutely insecure. Israel is viewed as a regional superpower with a military capacity that no single Arab state or combination of states can overwhelm in the foreseeable future. So, while it is understood that Israel must safeguard its national security with all its might, it must not use national security as a pretext for acquiring more Arab land or maintaining the precarious status quo. Twice in the past three years the Israeli Supreme Court ordered the government to reroute sections of the fence/wall being constructed between Israel proper and the West Bank because it caused undue hardship to several Palestinian communities.^[11] In the Court's opinion, there were no compelling national security concerns that justified the Israeli actions. The same conclusion, of course, is applicable to many settlements in the West Bank, which were built under the umbrella of national security, but in fact have absolutely no impact on Israel's real security.

2. Maintaining the Jewish national identity of Israel

The provision in the Initiative that addresses the Palestinian refugee problem is viewed by Israel, both literally and figuratively, as a threat to its very existence as a Jewish state. The clause reads as follows:

II - Achievement of a just solution to the Palestinian refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194.

Sadly, the Arab states and the Palestinian leadership have perpetuated the myth of "return" knowing, at least since the mid-1980s, that Israel simply cannot and will not accept any sizeable number of Palestinian refugees and still be able to retain the Jewish national identity of its state. This explains why Israel will not accept the 1948 UN General Assembly Resolution 194 which contains the "right of return" of the Palestinian refugees. Moreover, although the resolution stipulates "achieving just settlement of the refugee problem," it is critical to note that the Security Council Resolution 242 supersedes 194, which, in any case, is a non-binding resolution as are all General Assembly resolutions. The "right of return" has remained a constant in Arab narratives for the past sixty years. As such, it has been promoted and blown out of proportion in many Arab countries and thus over time assumed a life of its own. For a long time it has been an albatross strangling public debate on the issue. This is precisely why the Initiative treats "the right of return" like a fossil, frozen in time. That being said, it is clear that the Arab states' formal position as articulated in the Arab Initiative cannot be taken at face value.

Nabil Fahmy, Egypt's ambassador to the United States echoed this sentiment to me, noting that Israel cannot accept the right of return and that the solution lies in their resettlement and/or compensation. He also understands that insisting on repatriation would bring any peace negotiation to a quick halt. What he and many of his Arab colleagues really want is for Israel to acknowledge, first, that there is a refugee problem and then to show a willingness to be part of the solution, which the Olmert government has just begun to publicly articulate. In any case,

accepting a sizeable number of Palestinian refugees—in the tens of thousands—is not part of the solution for the entire region. For example, the Lebanese government strongly opposes any resettlement of the nearly 400,000 Palestinian refugees presently residing in their country. As a former Lebanese ambassador to the United States Farid Abboud^[12] explained it, “The permanent settlement of the refugees in Lebanon will dramatically shift the demographic makeup of the Lebanese population, with ominous implications to the stability of the state.” He also argues that a violent confrontation similar to the one that took place in the summer of 2007 between Palestinian militants and the Lebanese army could escalate the conflict and push Lebanon into another devastating civil war.

Although the issue of “right of return” should ideally be discussed in public to prepare the Arab street for the necessary compromises, Ambassador Zeid Ra’ad Zeid al-Husseini advises that because of the extreme sensitivity of the issue for both sides, the best course is to leave negotiations private to work out the details. Open-ended public discourse might create public pressure that could torpedo the negotiations before they even begin in earnest. And to avoid a repetition of the breakdown that occurred during the Israeli-Palestinian negotiations at Camp David during the summer of 2000, both sides need to understand each other’s position through quiet diplomacy prior to formal negotiations. At the eleventh hour of Camp David, Arafat sprung the issue of the right of return, effectively ending any chance for an agreement. The lesson from this unhappy episode has not been lost: no one knows better than the Arab states, especially Saudi Arabia, Egypt, and Jordan, which feel directly threatened by the ongoing regional developments, that for Israel the right of return is a nonstarter and the passage of time will not change its position. In a subsequent negotiation at Taba, Egypt, in January 2001, no position papers were exchanged concerning the refugee problem, which was seen as a good sign for open-ended talks. Both sides stated that a comprehensive and just solution to the issue of the Palestinian refugees is central to “a lasting and morally scrupulous peace.” Both sides also agreed to adopt the principles and references that could facilitate the adoption of an agreement. In addition, the two parties suggested that, as a basis, they should agree that a just settlement to the refugee problem be in accordance with UN Security Council Resolution 242. The resolution called for “Achieving a just settlement of the refugee problem.” This phrase was widely interpreted to mean a just solution of the refugees through resettlement and or compensation.

For the Arab states, and even more for the Palestinians, giving up the right of return is tantamount to tossing away their trump card. They simply will not show their hand before Israel indicates its willingness to accept the Initiative in principle. To achieve a comprehensive peace agreement, both sides will have to make many painful concessions. Accommodating Israel on the right of return is one of them. In fact, the ongoing negotiations between Israel and the Palestinian Authority concerning the Palestinian refugees are entirely based on the proposition that the solution must be found in resettlement and compensation. This is why the position articulated in the document has already changed even before Israel’s formal acceptance of the Initiative.

Although some Arab states and organizations continue to insist that Israel accept the principle of right of return, today the majority talk about finding a just solution to the Palestinian refugee problem, as the Initiative suggests, in the context of UN Resolution 242. While Israeli leaders must admit to the existence of the refugee problem, they will not commit political suicide by accepting unlimited numbers of Palestinian refugees, thereby altering the demographic makeup of the state through the implementation of Resolution 194. Regardless of how sensitive this issue may be for the Palestinians, the existence of Israel as the last refuge for the Jewish people, in the view of an overwhelming majority of Israelis, rests entirely on securing a sustainable Jewish majority within the state. It is critically important to understand that this is not a question of right or wrong. Sari Nusseibeh, President of Al-Quds University, observed this fact about four years ago when he said that Israel simply will not return all the territories captured in 1967 and then accept that the Palestinian refugees return to their original homes, in what is today Israel, and thereby obliterate Israel as we know it. In a conversation I had with Jordan’s Foreign Minister Dr. Salaheddin Al-Bashir in January 2008, he raised the issue regarding the viability of Israel’s

requirement for sustainable Jewish majority. He argued that given the birth rate of Palestinians vs. Israelis which is roughly 3 to 1, even without the influx of Palestinian refugees the Palestinian citizens of Israel would become a majority within three or four generations. From the Israeli perspective this may or may not be the case but Israel will take whatever measure necessary to insure the sustainability of the Jewish identity of the state. Regardless of what happens 100 years from today, the sooner the Arab states and especially, the Palestinians accept this principle Israeli requirement the more flexible Israel will be on many other conflicting issues.

The Palestinians do have a right in their homeland but this right must be addressed justly in part through resettlement in the future Palestinian state (to be established in the West Bank and Gaza) and by other humanitarian efforts. It should be noted that former Prime Minister Sharon's recognition that continued occupation of Palestinian territories is not sustainable is precisely because of the demographic threat (which subsequently gave birth to the Kadima party and the withdrawal from Gaza). In 2005 I asked Ehud Olmert, who was then serving as Deputy Prime Minister under Ariel Sharon, why it took this long for Likud (before the Kadima party was formed) to recognize the demographic threat, he said: "Well, it is better to recognize it now than never."^[13]

3. Maintaining the Unity of Jerusalem

Regarding the future of Jerusalem, the Initiative states:

III - The acceptance of the establishment of a sovereign independent Palestinian state on the Palestinian territories occupied since June 4, 1967 in the West Bank and Gaza Strip, with East Jerusalem as its capital.

It is now accepted as a given by the vast majority of Israelis that sooner rather than later a Palestinian state will be established in Gaza and in most of the West Bank. No consensus has formed, however, about whether East Jerusalem will be its capital. During the Israeli-Palestinian negotiations at Camp David in the summer of 2000, President Clinton and Prime Minister Ehud Barak (currently Israel's Defense Minister) conceded that the Arab part of East Jerusalem should be the capital of the Palestinian state. Surely, the Olmert government does not subscribe fully to the Clinton Parameters. Still, a solution to the future of Jerusalem may not be as insurmountable as it may seem. The Jewish affinity for Jerusalem extends over millennia and represents the embodiment of Jewish existence and freedom. The Jews' holiest shrine, the Temple Mount, the remnant of the Second Temple—the Western Wall—is in Jerusalem, and no Israeli government would survive should it contemplate physically dividing the city again.

For the Arabs, Jerusalem is equally sacred; two of the holiest Arab shrines, the al Aksa Mosque and the Dome of the Rock, along with many Muslim educational institutions, are in East Jerusalem. At the Taba negotiations both sides accepted the principle of control over each other's respective holy sites. According to this principle, Israel's sovereignty over the Western Wall would be recognized although there remains a dispute over the delineation of the area covered by the Western wall and especially the link to what is referred to, in President Clinton's idea, as the space sacred to Judaism of which it is part. There were several other issues over which the two sides continue to disagree but there was a shred of sentiment that an amicable solution would eventually be found.

Since more than 250,000 Palestinians live in the city, and no artificial separation or wall can be erected that can effectively isolate the interspersed Arab and Jewish communities from each other, both sides favored the idea of an open city. The Israeli side suggested the establishment of an open city whose geographical scope encompasses the Old City of Jerusalem plus the area defined as the Holy Basin. Conversely, while the Palestinian side was also in favor of an Open City they insisted that continuity and contiguity were preserved. The Palestinians emphasized that the Open City is only acceptable if its geographical scope encompasses the full municipal borders

of both East and West Jerusalem. Here too, while both sides held fast to their positions, they felt that the reality on the ground will ultimately fashion a mutually accepted formula. Indeed, many Israelis and Palestinians envision Jerusalem as becoming a microcosm of Israeli-Palestinian coexistence; thus, once other difficult issues are resolved, a solution to the future of Jerusalem may not be as elusive as some skeptics argue. Although no agreement was reached regarding the political line that would separate East from West Jerusalem, it is important to note that during these negotiations at Taba, the Israeli side accepted that the City of Jerusalem be the capital of the two states: Yerushalaim, capital of Israel and Al-Quds, capital of the state of Palestine.

4. Normalizing Relations with the Arab States

The Initiative speaks clearly on normalizing relations with the Arab states and ending the violence, knowing that for Israel peace must go beyond a mere quelling of violence.

I - Consider the Arab-Israeli conflict ended, and enter into a peace agreement with Israel, and provide security for all the states of the region.

II - Establish normal relations with Israel in the context of this comprehensive peace.

The fourth core requirement is of paramount importance to Israel because any hopes of its own future stability and progress depend on it. Only a comprehensive peace, a complete end to hostilities and unambiguous recognition can offer Israel the ultimate security it requires. Whereas the Initiative promises just that, Israel will seek to translate the peace between governments into a people-to-people peace, in which ordinary Arabs and Israelis develop a vested interest in the peace and so are motivated to preserve and protect it.

Specifically, Israel will seek *Zulh* (in Arabic, “peace of reconciliation”) rather than just *Salaam* (generally translated as “cessation of hostilities”). Israel’s concerns over the exact nature of the peace it is looking for are based on its perception of the political realities within the individual Arab states and the prevailing volatile and violent environment of the Middle East. Israel’s insistence on people-to-people peace emanates from its experiences with Egypt and Jordan. Although their governments greatly value the peace accord with Israel, the peace has generally left ordinary Egyptians and Jordanians cold because the peace agreements have not changed their lives perceptibly for the better.^[14] The lack of a vested interest in the peace by the general public in these two countries is particularly worrisome for most Israelis because of the existence of strong constituencies of Islamic radicals in Egypt and Jordan that not only oppose peace with Israel but furthermore its right to exist. Given the political volatility within several Arab states and the absence, from the Israeli perspective, of any legitimate succession process, the Israelis argue that Israel stands to take a considerable risk in making peace with current Arab leaders should an Islamic radical group assume power in the future. The rise of Hamas in the Palestinian territories and its takeover of Gaza offer a vivid example of what can transpire; thus, a possible ascendancy of the Muslim Brotherhood in Egypt and elsewhere may not be ruled out. Because of these pressing concerns, Israel will insist on absolutely normalized relations that should translate to open trade, cultural exchanges, tourism, investments, development projects, and all the other trimmings that come with allies living in peace. This menu of confidence-building measures obviously will take time to create, but the process of real change will have to begin once the negotiations get under way in earnest. To promote such a positive situation, the Arab states need to demonstrate that they have the capacity and the political will to rein in extremist groups, like Hamas and Hezbollah, should they refuse to heed the Arab collective will. Thus far, several Arab states have not only refused to impede the activities of such groups; they have actually supported their violent resistance to Israel.

While current Palestinian factionalism and violent internal rivalries are to a large degree preventing Israel from accelerating the peace negotiations with the Palestinians, the leadership

must find the resolve to develop a coherent strategy to deal with the Palestinian conflict. To be sure, Israel should not wait for the Palestinians to get their act together. Rather, it must now do everything it can to encourage Palestinian moderates by taking some unilateral actions on the ground to ease the lives of ordinary Palestinians. Measures that Israel can enact without major risk to its national security concerns may include the much-spoken-about release of prisoners, as well as allowing for the freer movement of people and goods. In addition, Israel should reward non-violent communities in the West Bank with economic incentives and channel tens of millions of Palestinian tax dollars to moderate Palestinians. In particular, Israel should put an end to settlement expansion, remove new outposts and even dismantle two or three existing settlements that it will have to dismantle in any case to send a clear signal of its intention to end the occupation. Israel should allow Palestinian cultural and educational institutions to reopen in east Jerusalem as well. Most importantly, Israel must abandon its tit-for-tat policy and deal with the Palestinians more in terms of a long-term strategy leading to a negotiated settlement, rather than on a tactical, ad-hoc basis.

A stronger demonstration must also come from the Israeli government to make institution building and economic viability a possibility for the Palestinians in the West Bank. This means reducing the checkpoints so that cargo can be transported more fluidly as well as allowing Palestinians better access to water supplies. Many farmers cannot live on their own land and the process of getting supplies and harvests in and out of checkpoints makes economic sustainability extremely difficult. While Israelis understandably must always keep security in mind, they have to realize that a Palestinian population with institutions, jobs, and an economy will in the long run help to dissolve the vast lifestyle disparity between the two peoples. Building new settlements in the midst of an impoverished Palestinian people and land will only continue to rouse angst.

The Palestinians must too demonstrate that they are committed to a political solution and abandon in word and deed all forms of violence to achieve their political objective. In addition, the Palestinians must bring to an end any form of incitement against Israel and promote publicly the importance of peaceful and neighborly relations. More importantly, the Palestinians must begin in earnest to rewrite text books (especially history and geography), to reflect the existence of the state of Israel and imbue school children with a bright prospect for the future instead of martyrdom. These measures are as important for the Palestinians as for Israel because they foster greater confidence among the Israeli public allowing its government to make meaningful concessions. If the 2007 Annapolis Middle East peace conference agenda, sponsored by the Bush administration, achieves this modest goal it will represent a major breakthrough in the otherwise conflict-ridden Israeli-Palestinian relations. Adopting the Arab Initiative, however, by the United States and Israel will greatly cement any progress made in the conference. It will also go a long way towards undermining Hamas and greatly strengthening the Palestinian moderate camp to present a real alternative.

The Arab Initiative, however imperfect, can address Israel's core requirements and reconcile them with its basic premises. Both sides need to understand, though, that the near total erosion of trust and the continued existence of Muslim radicals and Israeli right-wing elements—each adamantly resisting any solution that requires major concessions to the other—will make any negotiation extraordinarily difficult. In this context, it ought to be clarified that although no symmetry exists between Muslim radicals and right-wing Israeli elements, there are Israeli groups as committed to greater Israel as there are Muslim radical groups committed to eliminating Israel. From the Israeli perspective, Israeli right-wing extremists may appear different than Islamic radicals because they do not resort to armed violence. But domestic extremist groups will probably not stop short of using every means in their power to torpedo efforts to exchange territory for peace, even if that peace is genuine. The assassination of Yitzhak Rabin should not be dismissed as an aberration. Whether the conviction of these groups emanates from their belief that the Arab states will never make real peace with Israel or from a belief that the land of Israel has been bequeathed to the Jews by Providence, and thus no one is allowed to relinquish any inch of it, is beside the point. The point is that a pullout from the West Bank will undoubtedly have

far greater emotional and psychological impact on the Israeli public than the withdrawal from Gaza has precipitated. One can count on Israeli extremist right-wing elements to capitalize on the public's anxieties and encourage resistance, even possibly violent forms.

While no Arab states or any other major power should expect Israel to compromise appreciably on these four requirements, Israel too must come to grips with the reality that occupation is not sustainable and must be ended if it truly wants a comprehensive and lasting peace. As a top Moroccan government official bluntly stated to me: "Israel must choose between continuing occupation and a state of constant belligerency or making peace and raising its flag in 22 Arab Capitals... I do not have to tell you the implications of what that could mean to Israel's future developments and the entire region... it is nothing less than a revolutionary transformation."^[15] "Even more than that" Ambassador Al-Hussein stated, "Israel will be able to establish diplomatic relations with 55 Arab and Muslim states, now imagine the implications of this prospect." But for this to happen, both sides must show a far greater sense of urgency to act. Algeria's Ambassador Amine Kherbi noted that: "This time the Arab states are very serious, Israel must not miss this opportunity by default, simply doing nothing about it, we are all eager to end this debilitating conflict."^[16] The deteriorating conditions in the region will continue to evolve and are bound to unravel into something even more chaotic and catastrophic if action is not taken. This environment will allow the extremist forces of Islamic radicalism, terrorists, Takfiries and Jihadi movements to further grow in numbers and sophistication with the capability to create conditions beyond anyone's power to control. As the new intelligence assessment released in July 2007 strongly suggests, these Islamic radical forces, especially Al-Qaeda, are gaining tremendous ground daily. This raises a serious concern that if the conditions on the ground do not change for the better within a few years (perhaps two to four) neither the Arab states nor Israel will be able to rein them in.

The United States Must Reassess its Position

It is at this strategic time, when the dynamics are shifting in Iran, Iraq, and throughout the region that the United States should strongly endorse the Initiative, especially since the Arab states have collectively sponsored it and it could dramatically change the future of the Middle East. Moreover, Washington must keep in mind that because the Initiative is an Arab, and not an American or European document, it has practical advantages. For obvious reasons the Arab masses will relate much more positively to any peace proposal arising out of the Arab political world than they would to the Road Map or the Geneva Initiative or the Clinton Parameters, which were received with a degree of suspicion. This is particularly important because the Arab streets today are openly antagonistic towards the United States and Israel and will relate far more positively to an initiative generated from their own fold.

While the Arab Initiative has garnered a certain amount of traction from political and peacekeeping organizations, it must also be discussed in the context of the existing framework, which for the past five years has been the Road Map. The Road Map, while officially introduced in 2003 by the Bush camp, has more or less become a last-minute effort by a lame duck president to make progress where few, if any, American presidents have succeeded in the past. Whether it will transfer over to the next American president is questionable, but at this point it would be futile to rest the weight of the peacemaking process in the hands of a country who does not share the risks and burdens associated with negotiations. Should the United States have a seat at the table when it comes to Arab-Israeli affairs? Absolutely. The sticks and carrots and long-term investment the United States has to offer cannot be matched by any other power, and thus it will always be involved in brokering any deal. But at this point, it is long overdue that an Arab-Israeli peace treaty is borne of and implemented by the governments and people directly affected by the process.

The essential difference between the Road Map and the Arab Initiative is the fact that the latter comes from the very states that will bear the responsibility of its implementation or failure.

Incorporating Jordan, Egypt, Syria, Lebanon, Morocco, Qatar and the rest of the Arab League states directly into the process is a feat that no U.S. mediation has yet accomplished. The ultimate problem with the Road Map in this sense, is that its authors have the ability to shift it to the backburner should another conflict arise, as is often the case. But the neighboring countries of Egypt, Jordan, Syria and Lebanon cannot afford to shelve negotiations with Israel or the Palestinians, as any violence, refugees, land transfers, uprisings, or extremist movements will have a direct effect on their people and governments.

The second major flaw of the Road Map was in the details. What the Bush administration failed to understand was the absolute significance of even the smallest parcel of land. Every settlement erected, every strategic vantage point used for violence is a threat to existence for the Israelis and the Palestinians. With two pithy lines on freezing the settlements and no real discussion of what the final Palestinian state might look like, the Road Map took for granted the attachment both sides have to every square foot of strategic land. The specific language reads that, "The government of Israel dismantles settlement outposts erected since March 2001. Consistent with the Mitchell Report, the government of Israel freezes all settlement activity (including natural growth of settlements)." Clearly this step has not been implemented as 1,600 units have been built in the West Bank since the 2007 Annapolis conference.^[17] In the same token, violence has not been subdued much and extremism is continuously rising.

To call for a cessation of any violence and settlement activity without serious and continuous negotiations showed some of the idealism and naiveté on behalf of the U.S. Government and its hopes for the Road Map. Any specific requirements by either side were tied up in a process of succession, where both sides' inability to get past the first steps prohibited any other progresses that could have been made. It took the United States five years to admit this downfall, and in January of 2008 Condoleezza Rice finally suggested:

The reason that we haven't really been able to move forward on the peace process for a number of years is that we were stuck in the sequentiality of the Road Map. So you had to do the first phase of the Road Map before you moved on to the third phase of the Road map, which were the actual negotiations of final status.

The Arab Initiative, while also not ingrained in the details of implementation, has given far more breathing room for negotiations with a final status in sight: the creation of a viable Palestinian state with a capital in East Jerusalem and the security of normal relations with Arabs for a safer Israel. The issues of refugees, settlements, and violence are all dealt in an authoritative manner, but with an understanding that each step must be worked out between both parties.

Ultimately the Road Map and the Arab Peace Initiative are not exclusive peace plans incapable of coexisting. If Israel were to work out an agreement within the framework of the Arab Initiative it would not have to discard the peace efforts of its closest ally. But more importantly, it could secure a relationship with the moderate Arab governments that could come in extremely handy when paired with the temperamental international involvement of the United States, EU, Russia and UN.

This does not diminish the importance of active U.S. involvement in any Arab-Israeli peace negotiations. Historically, no major Arab-Israeli accord, disengagement of forces or peace treaty has resulted without direct American involvement in one way or the other. The Bush administration's lukewarm endorsement of the Initiative discourages both sides from making the necessary bold moves towards serious negotiations, not to speak of reaching an agreement that requires them to make major concessions. The benign negligence the Bush administration has used for seven years in dealing with the Israeli-Palestinian conflict has only worsened an already bad situation. Given this failed policy, it may be useful for Washington to recall that the Initiative is not limited to Israel and the Palestinians. Other Arab countries, like Syria, which has a territorial dispute with Israel, are involved. It is logically impossible, as well as pragmatically unhelpful, for

the administration to support an Arab-Israeli peace dialogue while simultaneously seeking a regime change in Damascus. This is one more reason (and opportunity) for the administration to rethink its policy toward Damascus and encourage rather than discourage Israel from negotiating with the Al-Assad regime. An Israeli-Syrian dialogue could actually provide a way out for the administration, allowing it, at least initially, not to play a direct role in the negotiations. In several conversations I had with State Department officials I was struck by their insistence that Damascus must first change its behavior before the Bush administration engages Syria constructively, and yet this policy has led nowhere in the past seven years.

Syria is the Key to a Comprehensive Peace

Whether the Bush administration likes it or not, Syria is a key player in any comprehensive solution to the Arab-Israeli conflict. It is somewhat illusory for the U.S. Government to think that the Arab-Israeli peace process can be advanced appreciably without Syria's full participation. Since Syria subscribed to the Initiative and has called time and again for peace talks, Israel has finally made the right decision to engage Syria, albeit indirectly through Turkey. The realization that without Syria there can be no hope for a comprehensive peace has convinced Israel that time has come to open up to Damascus with or without the blessing of the Bush administration. Israel and Syria fully understand the requirements for a peace agreement which is the return of the entire Golan Heights in exchange for comprehensive peace with normal relations. Without establishing these requirements in advance it is doubtful that the two nations would have entered into any negotiations directly or indirectly.

The importance of engaging Syria cannot be overestimated. Without peace between Israel and Syria, Israel will always remain insecure on its northern front. Peace with Syria will also pave the way to an Israeli-Lebanese normalcy specifically because Syria is imbedded in Lebanon's social, economic, and political makeup and it continues to exert tremendous influence over Hezbollah. Moreover, Syria can wield significant influence on the Israeli-Palestinian peace negotiations because more than any other Arab state it provides not only a sanctuary for Palestinian radical leaders but is the keeper of the flame of the Palestinian national movement. Syrian influence transcends the Arab-Israeli conflict because as a predominantly Sunni state, Syria can shift the dynamic of the Shiite-Sunni conflict away from a dangerous escalation with the potential of engulfing the entire region. In addition, in any effort to contain Iran's nuclear ambitions, Syria matters because luring Syria out of the Iranian orbit would isolate Tehran and weaken its resolve. And in Iraq, Syria can play a moderating role especially because the Bush administration desperately wants and needs to succeed in Iraq and Syria can be extremely helpful in any campaign to stabilize the fractured war-ridden nation. Finally, Syria matters in the so-called war on terrorism because it has the capacity to help in gathering intelligence and in reining in many of the radical Islamic elements.

One can argue about the extent to which Syria matters in the search for Middle East solutions, especially in the wake of the discovery that Damascus may have been pursuing nuclear weapons. But the Israeli strike on what appears to be a partially built nuclear reactor only reinforces the need to seek an end to the Israeli-Syrian conflict. The attack could have created a major international incident, but it did not. For its part, Damascus was unwilling to admit to the extent of the attack or to identify the presumed target, and in so doing, obscured the target's location and how much was destroyed, thereby avoiding public pressure to retaliate. The Israeli government too kept unusually mute about the incident, both to prevent exposing the Syrian government to public embarrassment and to avoid further provocation, which could have led to a violent escalation stemming from the episode. It should also be noted that it was Prime Minister Olmert who encouraged the Bush administration to invite Syria to the Annapolis Middle East peace conference knowing full well that the Syrian delegation would raise the issue of occupation of the Golan Heights.

In acting prudently, both sides were driven by the lack of viable options but mostly by their strategic interest to enter into peace negotiations. Damascus and Jerusalem know full well that while talk and even preparation for war may be necessary to pacify certain elements in each camp, the only real option is a negotiated peace agreement. Each realizes that another Israeli-Syrian war will not alter in any fundamental way the current situation. Each state also knows it can inflict heavy human losses and material damage on the other but that Syria cannot retake the Golan Heights by force, while Israel, following the second Lebanon war, cannot sustain indefinitely its occupation of the Golan with impunity. After more than forty years of occupation, the Israelis finally understand that they have been unable to improve security on their northern borders and that Syria has not shifted its focus for a second from regaining the Golan. This episode only underscores the fact that one cannot discount Syria's impact directly and indirectly on all the region's major issues and, therefore, its constructive engagement has the potential to dramatically realign the forces behind much of what troubles the region.[\[18\]](#)

Damascus is fully aware that it must pay a price in any peace negotiations with Israel if it is to lead to Syria regaining the Golan Heights. Such a price, must however, be integral to—not a precondition of—the negotiations. Damascus has no incentive to be helpful, let alone rein in extremism, when the threat of regime change by the United States continues to hover over the government. In fact, the greater the threat to the regime is that the tighter its leaders hold on to power and the more secure the regime feels, the greater the moderation that can be expected from them. Having been in touch with Israeli and Syrian officials regularly I know first hand that both sides fully appreciated each others' requirements as was articulated to me by Syria's foreign Minister Walid Al-Moualeem last October.

What does Israel expect Syria to do in connection with its allies: Iran, Hezbollah and Hamas? Surely, Damascus must demonstrate that its call for peace negotiations is not some tactical play for time during which it prepares for the next adventure but is part of a genuine peace-seeking strategy. Thus, Syria will have to be ready to undertake clear and transparent measures, including severing its relations with radical Islamic groups, ending its political and logistical support of Hezbollah, stemming the flow of insurgents and military hardware to Iraq, dramatically reducing, if not eliminating, its strategic reliance on Iran, and ending its support to Hamas to demonstrate its commitment to peace. A change in U.S. policy towards Damascus will bring about much of this desired outcome because the Syrian leaders will act in their best interest and understand the limitations of their current policies. Damascus is looking for a rapprochement with the United States which could pave the way to regaining the Golan. For the United States and Israel, the prospective gains are enormous, so they must not give way to doubt and thereby continue past policies that have led nowhere, except to erode regional security conditions.

Regardless of the nature and the make up of the regime in Damascus, be it democratic or despotic, Syria's national obsession with regaining the Golan and its historic and special interest in Lebanon will not go away. As long as Damascus continues to have claims on both, it can be expected to do whatever it can to secure its own interests. Since no functioning, stable democracy is expected to emerge in Syria any time soon, the United States and Israel will be far better off dealing with a regime that has the authority to commit itself to a policy or a set of actions and take the necessary steps to back up its commitment. Historically, Syria has demonstrated that once it commits itself to any agreement or understanding it fully fulfills its obligations. Sticking to the rules of the 1974 disengagement agreement with Israel is one of many examples. Thus, the Arab Initiative has the potential to work out Syria's and Israel's negotiation process with a larger and more inclusive framework in mind.

Allaying Israel's Concerns

Israel must realize that accepting the Initiative is not a sign of weakness; on the contrary, it is a sign of strength. Israel has never been stronger militarily or economically than it is today. This is precisely why it can accept the Initiative by openly stating its four core principles, which no Israeli

government can give away and no serious Arab interlocutor can deny. And it is why, rather than rejecting certain aspects of the Initiative, the Israeli government should make its core requirements abundantly clear and use the document's positive elements to find a way to negotiate over the other aspects. By stating its four core requirements, Israel is giving nothing away. In fact, the Arab states will have to concede in many areas to meet those requirements, and if they fail to negotiate in good faith, Israel can stand its ground.

That being said, any commitment to negotiate a peace agreement based on the general principles of the Arab Initiative is unarguably a high-risk game. From the Israeli perspective, the occupied territories are vitally linked to national security, and the Jewish identity of the state is directly related to the kind of solution brought to the Palestinian refugee problem. For these reasons no one should expect Israel to lay down its arms even after a comprehensive peace agreement has been achieved. Indeed, the geopolitical and security conditions in the Middle East will remain precarious for many years, especially because of Iran's ambitions to become a regional hegemon armed with nuclear weapons. This prospect concerns not only Israel, which would require it to maintain its military superiority for the foreseeable future, but also the Arab Sunni states which are extremely concerned over Iran's efforts to acquire nuclear arsenals.^[19] Moreover, any Israeli government, regardless of its political orientation, must also be able to envision the end-game with some certainty before it can initiate such a commitment, which is why Israel needs to establish at the outset its core requirements, and also why the Arab states must be prepared to deal with them in good faith. All Arab states, not only Egypt and Jordan (assigned by the Arab League to pursue the Initiative with Israel), must demonstrate that their Initiative is genuine and that they are ready to engage the Israelis on any level, while remaining true to the Initiative's principles.

Israel, as indicated, must take advantage of the ways that the Iraq war and occupation have radically altered the political and security conditions in the Middle East, posing a serious challenge to the region's old geopolitical order. Because Iran's regional ambitions alarm both the Sunni Arab states and Israel, this creates the possibility of an alliance of necessity. The reintroduction of the original Saudi Initiative at this particular time is not accidental. It is designed principally to change the region's new political dynamic in a central way, by ending the Arab-Israeli conflict. The confluence of events offers Israel and the Arab states an opportunity that they cannot afford to miss.

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Appendix 1

Beirut Declaration on Saudi Peace Initiative March 28, 2002

Following is an official translation of the full text of a Saudi-inspired peace plan adopted by an Arab summit in Beirut on Thursday:

The Arab Peace Initiative

The Council of Arab States at the Summit Level at its 14th Ordinary Session, reaffirming the resolution taken in June 1996 at the Cairo Extra-Ordinary Arab Summit that a just and comprehensive peace in the Middle East is the strategic option of the Arab countries, to be

achieved in accordance with international legality, and which would require a comparable commitment on the part of the Israeli government.

Having listened to the statement made by his royal highness Prince Abdullah bin Abdul Aziz, crown prince of the Kingdom of Saudi Arabia, in which his highness presented his initiative calling for full Israeli withdrawal from all the Arab territories occupied since June 1967, in implementation of Security Council Resolutions 242 and 338, reaffirmed by the Madrid Conference of 1991 and the land-for-peace principle, and Israel's acceptance of an independent Palestinian state with East Jerusalem as its capital, in return for the establishment of normal relations in the context of a comprehensive peace with Israel.

Emanating from the conviction of the Arab countries that a military solution to the conflict will not achieve peace or provide security for the parties, the council:

1. Requests Israel to reconsider its policies and declare that a just peace is its strategic option as well.

2. Further calls upon Israel to affirm:

I- Full Israeli withdrawal from all the territories occupied since 1967, including the Syrian Golan Heights, to the June 4, 1967 lines as well as the remaining occupied Lebanese territories in the south of Lebanon.

II- Achievement of a just solution to the Palestinian refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194.

III- The acceptance of the establishment of a sovereign independent Palestinian state on the Palestinian territories occupied since June 4, 1967 in the West Bank and Gaza Strip, with East Jerusalem as its capital.

3. Consequently, the Arab countries affirm the following:

I- Consider the Arab-Israeli conflict ended, and enter into a peace agreement with Israel, and provide security for all the states of the region.

II- Establish normal relations with Israel in the context of this comprehensive peace.

4. Assures the rejection of all forms of Palestinian partition which conflict with the special circumstances of the Arab host countries.

5. Calls upon the government of Israel and all Israelis to accept this initiative in order to safeguard the prospects for peace and stop the further shedding of blood, enabling the Arab countries and Israel to live in peace and good neighborliness and provide future generations with security, stability and prosperity.

6. Invites the international community and all countries and organizations to support this initiative.

7. Requests the chairman of the summit to form a special committee composed of some of its concerned member states and the secretary general of the League of Arab States to pursue the necessary contacts to gain support for this initiative at all levels, particularly from the United Nations, the Security Council, the United States of America, the Russian Federation, the Muslim states and the European Union.

Appendix 2

Creation of a Conciliation Commission- General Assembly Resolution 194

11 Dec 1948

VOLUMES 1-2: 1947-1974

I. FROM MANDATE TO INDEPENDENCE

13. Creation of a Conciliation Commission, General Assembly Resolution 194 (III), 11 December 1948:

The third session of the General Assembly refused to accept any decision altering the Partition Resolution of the preceding year, nor did it decide on ways of its implementation. Instead, it decided to set up a United Nations Conciliation Commission, reiterated the decision on internationalization of Jerusalem, and laid down several principles on the refugee question. Text of Resolution 194 (III) follows:

The General Assembly,

Having considered further the situation in Palestine,

1. Expresses its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

Extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. Establishes a Conciliation Commission consisting of three States Members of the United Nations which shall have the following functions:

(a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by the resolution of the General Assembly of 14 May 1948;

(b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. Decides that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;

4. Requests the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;
5. Calls upon the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly with a view to the final settlement of all questions outstanding between them;
6. Instructs the Conciliation Commission to take steps to assist the Government and authorities concerned to achieve a final settlement of all questions outstanding between them;
7. Resolves that the Holy Places—including Nazareth—religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposal for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;
8. Resolves that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the most Eastern of which shall be Abu Dis; the most Southern, Bethlehem; the most Western, Ein Karim (including also the built-up area of Motsa); and the most Northern, Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

Instructs the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative who shall cooperate with the local authorities with respect to the interim administration of the Jerusalem area;

9. Resolves that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

Instructs the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. Instructs the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. Resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. Authorizes the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. Instructs the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;

14. Calls upon all Governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. Requests the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

Appendix 3

U.N. Security Council Resolution 242 November 22, 1967

Following the June '67, Six-Day War, the situation in the Middle East was discussed by the UN General Assembly, which referred the issue to the Security Council. After lengthy discussion, a final draft for a Security Council resolution was presented by the British Ambassador, Lord Caradon, on November 22, 1967. It was adopted on the same day.

This resolution, numbered 242, established provisions and principles which, it was hoped, would lead to a solution of the conflict. Resolution 242 was to become the cornerstone of Middle East diplomatic efforts in the coming decades.

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace, in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. Affirms that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
 - Withdrawal of Israeli armed forces from territories occupied in the recent conflict;
 - Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. Affirms further the necessity
 - For guaranteeing freedom of navigation through international waterways in the area;
 - For achieving a just settlement of the refugee problem;
 - For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;
3. Requests the Secretary General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;
4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Appendix 4

U.N. Security Council Resolution 338 **October 22, 1973**

In the later stages of the Yom Kippur War—after Israel repulsed the Syrian attack on the Golan Heights and established a bridgehead on the Egyptian side of the Suez Canal—international efforts to stop the fighting were intensified. U.S. Secretary of State Kissinger flew to Moscow on October 20, and, together with the Soviet Government, the U.S. proposed a cease-fire resolution in the UN Security Council. The Council met on 21 October at the urgent request of both the U.S. and the USSR, and by 14 votes to none, adopted the following resolution:

The Security Council,

1. Calls upon all parties to present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions after the moment of the adoption of this decision, in the positions they now occupy;
2. Calls upon all parties concerned to start immediately after the cease-fire the implementation of Security Council Resolution 242 (1967) in all of its parts;
3. Decides that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

Appendix 5

THE KHARTOUM RESOLUTIONS **September 1, 1967**

Eight Arab heads of state attended an Arab summit conference in Khartoum during August 29 - September 1, 1967. It formulated the Arab consensus that underlay the policies of most Arab states participating in the conflict until the early 1970's. The resolution adopted called for the continued struggle against Israel, the creation of a fund to assist the economics of Egypt and Jordan, the lifting of an Arab oil boycott against the West and a new agreement to end the war in Yemen. By adopting the dictum of no peace with Israel, no recognition of Israel and no negotiations with Israel, the Arab states appeared to have slammed the door on any progress towards peace.

Text

1. The conference has affirmed the unity of Arab ranks, the unity of joint action and the need for coordination and for the elimination of all differences. The Kings, Presidents and representatives of the other Arab Heads of State at the conference have affirmed their countries' stand by and implementation of the Arab Solidarity Charter which was signed at the third Arab summit conference in Casablanca.
2. The conference has agreed on the need to consolidate all efforts to eliminate the effects of the aggression on the basis that the occupied lands are Arab lands and that the burden of regaining these lands falls on all the Arab States.
3. The Arab Heads of State have agreed to unite their political efforts at the international and diplomatic level to eliminate the effects of the aggression and to ensure the withdrawal of the aggressive Israeli forces from the Arab lands which have been occupied since the aggression of June 5. This will be done within the framework of the main principles by which the Arab States abide, namely, no peace with Israel, no recognition of Israel, no negotiations with it, and insistence on the rights of the Palestinian people in their own country.
4. The conference of Arab Ministers of Finance, Economy and Oil recommended that suspension of oil pumping be used as a weapon in the battle. However, after thoroughly studying the matter, the summit conference has come to the conclusion that the oil pumping can itself be used as a positive weapon, since oil is an Arab resource which can be used to strengthen the economy of the Arab States directly affected by the aggression, so that these States will be able to stand firm in the battle. The conference has, therefore, decided to resume the pumping of oil, since oil is a positive Arab resource that can be used in the service of Arab goals. It can contribute to the efforts to enable those Arab States which were exposed to the aggression and thereby lost economic resources to stand firm and eliminate the effects of the aggression. The oil-producing States have, in fact, participated in the efforts to enable the States affected by the aggression to stand firm in the face of any economic pressure.
5. The participants in the conference have approved the plan proposed by Kuwait to set up an Arab Economic and Social Development Fund on the basis of the recommendation of the Baghdad conference of Arab Ministers of Finance, Economy and Oil.
6. The participants have agreed on the need to adopt the necessary measures to strengthen military preparation to face all eventualities.
7. The conference has decided to expedite the elimination of foreign bases in the Arab States.

References

1. See appendix 1: "Beirut Declaration on Saudi Peace Initiative," March 28, 2002.
2. The second Intifadah started on September 2000 in the wake of a visit by former Prime Minister Sharon to the Temple Mount and the collapse of the Israeli-Palestinian peace negotiation at Camp David.
3. See appendix 2: "General Assembly Resolution 194," December 11, 1948.

4. See appendix 3: "UN Security Council Resolution 242", November 22, 1967.
5. These negotiations led to the peace treaty between Israel and Egypt in 1979 and Israel and Jordan in 1995.
6. These negotiations were held under the auspices of the Clinton administration.
7. Including Israel's national security advisor Ilan Mizrahi in May, June, July and September of this year and with Imad Moustapha, Syria's ambassador to the United States during the same period. I conferred with Syria's Foreign Minister Walid Al-Moualem in October 1, 2007 in New York.
8. See appendix 5: "The Khartoum Resolutions," September 1, 1967.
9. I received five questions from Israel's National Security council asking me to verify certain aspects of my proposals to which I responded apparently to the satisfaction of Israel National Security Advisor Ilan Mizrahi in consultation with the Prime Minister.
10. United Nations Security Council Resolution 338 was adopted in October 22, 1973. See appendix 4.
11. The fence/wall is being built partly on Palestinian territories thereby infringing on Palestinian communities.
12. Ambassador Farid Abboud, former Lebanese Ambassador to the United States, with whom I spoke in May 2007 in Washington, DC.
13. In a conversation I had with Prime Minister Olmert during his visit to New York in the fall of 2005 when he served as Deputy Prime Minister under Sharon.
14. In a conversation with Egypt's Foreign Minister Abu-Ghait in Cairo, June 2006, he insisted that open-ended relations between Israel and Egypt will be possible only after a resolution to the Israeli-Palestinian conflict.
15. Ambassador Aziz Mekouar, the Moroccan Ambassador to the United States.
16. Ambassador Amine Kherbi, the Algerian Ambassador to the United States.
17. This figure comes from a presentation by Daniel Seidemann.
18. Interestingly enough Syria's call for entering unconditional negotiations with Israel was reiterated to me by Syria's Foreign Minister Walid Al-Moualem three weeks after an Israeli air strike on September 6, 2007.
19. In a conversation I had in September 2006 with General Omar Suleiman, Egypt's Interior Security Minister and Chief of Intelligence said that Iran's nuclear ambitions represent the greatest threat to Egypt.